



THE
CONDUCT
OF A
R^t. Hon. GENTLEMAN, &c.



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R. H. GENTLEMAN, & Co.

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[The Old English Manuscript]

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R^t Hon. GENTLEMAN

In resigning the

SEALS of his OFFICE justified, by FACTS,

And upon the Principles of the

BRITISH CONSTITUTION.

By a MEMBER of PARLIAMENT.

The SECOND EDITION.

L O N D O N:

Printed for J. NEWBERRY, at the *Bible* and
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TO THE GENTLEMAN

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BRITISH CONSTITUTION

IN A MEMORIAL OF PARLIAMENT

THE SECOND EDITION

LONDON

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1840

T H E
C O N D U C T
O F A

Right Hon. GENTLEMAN, &c.

AS I intend the following pages merely for the information of my fellow subjects I shall make no attempts to captivate their attention, by addressing them to any great name; a practice which too often serves to introduce, into works of this kind, either unprovoked censure, or unmerited panegyric.

If there is any point in which the people of Great Britain, from the highest to the lowest, are agreed; it is the great and eminent services (to make use of

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the words of authority) that Mr. P. performed to his country during his administration. *Great*, because they are of solid and lasting utility to her interest, and *eminent*, because they have raised her reputation. Upon a review of all parts of the British history, I cannot discover one instance of a minister, while his master was approving of, and his country doing homage to, his merits; while his integrity was acknowledged, and his measures were successful; resigning an office of so much importance, honour, and profit, as that of secretary of state. Our surprize at this unprecedented step is heightened, when we reflect that Mr. P. gave up the seals of his office, at a time, when perhaps his country had reason to call the loudest for the continuance of his services and the exertion of his abilities.

Notwithstanding those seeming inconsistencies, I make no doubt of being able to prove to the satisfaction of the public the following propositions.

First,

First, That he could not consistently with his own safety, continue in the high post he held, after being forced to deviate from the great lines of conduct he had chalked out when he first entered upon it.

Secondly, That his resigning under the circumstances he found himself to be, was the most effectual service he could perform to his country, and entirely agreeable to the maxims of her constitution, as explained and understood, since the revolution.

Thirdly, That his resignation does not disable him from offering his opinion to his majesty, his parliament, and his council, upon the public measures to be pursued, with as much freedom, and with more weight, than he could have had, had he retained the seals of his office.

To prove my first proposition, I must observe that few ministers ever entered upon so arduous an office as that of secretary of state, under such discouragements

ragements and disadvantages, as Mr. P. did. It is not here my intention to throw out any invidious reflections upon the administrations preceding his. All I shall say, is, that they were composed of men of the greatest interests and properties in his majesty's dominions; and some of them persons of the most distinguished abilities. The national misfortunes and disgraces (whether happening by casualties or otherwise, I shall not here enquire into) which the public suffered under them, occasioned such uneasiness, that the peoples voice pointed out to his late majesty, the expediency of his changing his administration, and Mr. P. as the most proper person to be placed at the head of it. His majesty, like the father of his people, obtempered their choice, and that gentleman accordingly received the seals. This happened at a juncture as critical for Great Britain, and as perilous for himself, had he not succeeded, as any we can well imagine.

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The public does not require to be informed of his majesty's engagements to preserve the ballance of power, both religious and civil, in Germany, and of his attachment to that system. It was visible that an abrupt departure from it, was impracticable under any administration. The right honourable gentleman knew that, and laid before his majesty, his plan of operations, by which the interest of Great Britain, and that of Germany, consequently that of Europe, were equally consulted, and his late majesty was heard to declare, "that he never had before seen a plan so consistent in itself, and so intelligible to him."

The right honourable gentleman, however, gave the preference to British, though without losing sight of foreign, interests: but (as that of all just plans ought to do) the execution depended upon an arrangement of operations subsequent to one another. The giving effectual assistance to our allies in Germany was to follow the security of Great Britain's
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commercial interests: and for that purpose it was necessary to push a maritime war. While that maritime war, however, was depending, our German allies might have been irretrievably crushed, and therefore it was necessary to afford them a temporary, though we could not an effectual, support; and engagements were accordingly entered into, tho' with some expence to the nation, which happily answered that purpose. His Prussian majesty was enabled to make a stand in the field, which effectually disconcerted the mighty projects his enemies had formed for his destruction; the electorate of Hanover was delivered from the more than Egyptian bondage of the French; and a prince of great abilities was appointed to head his majesty's electoral troops.

In the mean while, the great operations of war on the part of Great Britain were pushed by our maritime force. Our colonies on the continent of America were secured by our successes on the
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the Ohio, and that security was rendered permanent, I hope, perpetual, by the conquest of all Canada, of Guadalope, and many other advantages we gained in all quarters of the globe. All this was effected by the support we had given to our allies in Germany, which rendered it impracticable for the French effectually to counteract us in our enterprizes. Thus it happened, through a skilful disposition of our operations, that the war in Germany contributed to their success, and Great Britain was enabled to succour her allies there with greater efficacy than ever.

The right honourable gentleman who is supposed to have concerted this plan, and to have pointed out the generals and other officers who were employed in its execution, was aware of the dangers and difficulties under which he acted. Many officers of old standing both in the army and navy, who thought themselves qualified for command, had been unemployed. He knew that
nothing

nothing but the success which had attended his measures, could have secured him against a powerful opposition in the cabinet; and the higher his popularity rose, he saw he must be the more upon his guard against every attempt to disconcert his original plan. At last the French had no other resource but in the desperate expedient of invading us. They attempted it, and their marine was destroyed.

We were then at liberty to assist our allies with men as well as with money, and we were under the strongest ties to do both; because a people who fail in the points of honour and gratitude, must soon stand by themselves; a situation which a commercial people, of all others, ought to endeavour to avoid. Hanover had been engaged in the war, and involved in all the distresses she suffered, merely on account of the generous sacrifice her elector made of her security, to the interest of Great Britain. The Hessians were much in the same situation;

tion; as their landgraves had rejected the French terms. His Prussian majesty was not originally engaged in the war on the account of Great Britain, but he happened to be so consequentially. All parties here in the beginning of our differences with France, after the house of Austria had ungratefully and unnaturally deserted our alliance; after the Dutch had with equal ingratitude and unnaturality refused to fulfil their engagements with us, and after other powers in Europe had in fact done the same, pointed out his Prussian majesty as our natural and only ally on the continent, and we accordingly rendered him such by a subsidiary.

I will not impose upon my reader so far, as to say, that on the 16th of January 1756, when this subsidiary treaty was concluded and signed, the British ministry knew or foresaw the prodigious difficulties, under which his Prussian majesty laboured. We were then upon extreme good terms with the empress

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of Ruffia, who feemed to exprefs the greateft cordiality and gratitude towards his Britannic majesty and his people. We knew of no demands that the King, or rather the fenate, of Sweden had upon Pruffia; we had recent proofs that his Pruffian majesty was a match for Austria alone; and we either did not know of the connections formed between France, and the empress queen, or we did not fuppofe that fo prepofterous an alliance could long fubfift. The French themfelves feem to have been of the fame opinion: for our treaty with his Pruffian majesty was fcarcely concluded when they offered to break their alliance with the houfe of Austria, if he would abandon his alliance with us.

I am far from telling my readers that his Pruffian majesty rejected this offer from motives merely of difinterest and honour. Such ftrains of generofity and good faith, are feldom to be found amongft the princes of this age. He perhaps thought there was a great deal
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more solidity in the terms he had obtained from us, than in all the offers of France, and that the subsidy of four millions of rixdollars, full and flourishing as his army then was, would be of much greater service to him, than all that France could propose. He was in full possession of the rich electorate of Saxony, and he had a prospect of conquering Bohemia. He was sensible, though we were not, of the motives, which had induced the two empresses to engage the king of Poland in the confederacy against him. He had by this time found the means of getting access to the cabinet at Dresden, where he received full information, as to the depth and extent of the alliance that had been projected for his ruin. He plainly saw it was such, as could not be disappointed by any powers of negotiation; that France had no manner of motive to be lavish of her troops, in assisting him: that she would soon be tired of her engagements, in a war, in which she had no

immediate concern ; and that if she did give him any assistance, she would expect an indemnification in some shape or other. On the other hand, the case was far different, as to his engagements with Great Britain, who instead of demanding, was to advance him money, in a manner to defend himself.

It is highly observable, that while his Prussian majesty was making all those important discoveries, the court of Great Britain was so far from being in the secret ; that his late majesty, as elector of Hanover, publicly in some sense, protested against the Prussian irruption into Saxony ; and so uninformed we were, of the claims which Russia had upon his Prussian majesty's territories, that on September 30th 1755, we concluded a new subsidiary treaty with that empress, confirming the treaty of defensive alliance of December 11th 1742, concluded at Moscow. By the treaty of 1755, it is declared article 2d that " her imperial Russian majesty has
not

not only caused to march against the frontiers of Livonia, adjoining to Lithuania, but engages also to hold there, as long as this convention shall subsist 40,000 infantry of her regular troops, furnished with the necessary artillery, and 15,000 cavalry, composed of three regiments of cuirassiers, of twenty companies of horse grenadiers, of two regiments of hussars, and the remainder of light troops, to wit, of Cossacks, and Calmucks, each with two horses, as many as shall be wanting to compleat these 15,000 cavalry; so that the whole infantry and cavalry shall form a compleat body of 55,000 men," By the 3d article of the same treaty, her imperial majesty moreover obliged herself to cause to be held in readiness, on the coasts of the afore-mentioned province, 40 or 50 gallies with the necessary crews; and by the 5th article, her imperial majesty declares, that in case the dominions of his Britannic majesty in Germany were invaded, she would look upon such an invasion

invasion, as a *casus fœderis*, that is, a case of the above-mentioned alliance of 1742. In consideration of those succours, his Britannic majesty, the moment they were put in motion, by his direction, was to pay her imperial majesty 500,000 *l.* sterling, and in the interim 100,000 *l.* a year.

I have been the more explicit in my account of this treaty, because I cannot help looking upon it as the foundation of all the king of Prussia's misfortunes during this war. It was concluded indeed, at a time, when his Britannic majesty's applications at the court of Vienna, for the peace of Germany were treated with coldness, if not disrespect. But he could not imagine that matters would take the turn they afterwards did. His chief apprehension, at that time, was, least the empress queen's resentment against Prussia should throw him into the arms of France, and make him assisting to her in her designs upon Hanover, which every day grew more
plain

plain by the French troops assembling upon the Moselle and Upper Rhine, in the autumn of the year 1755, that is about six weeks before the treaty of Petersburg was concluded between Great Britain and Russia. Thus that treaty became, in fact, a kind of stalking-horse which not only covered the real designs of the court of Petersburg against his Prussian majesty's dominions, but carried them into execution. This was an event neither suspected, nor foreseen by either of the parties, which at that time ran very high in the nation, in their divisions about the treaty of Petersburg: nor do I remember that ever it was considered in that light, either by the speakers within doors, or the writers without doors. It is foreign to my purpose, because it is not connected with the conduct of the right honourable gentleman, to give any particular detail of the motives and views, that carried into execution the treaty of Versailles, which was signed the 10th of
May

May 1756, and the treaty of Petersburg between the two empresses, which are daily unfolding themselves by their effects. It is sufficient to say, that France out of resentment to England, availed herself of the implacability of the empress queen, towards his Prussian majesty, and from that motive, her imperial majesty met the advances of France more than half way. Both were sensible of the claims of the Russian court upon the same monarch, and of their obstinacy like true bears in pursuing them: they therefore thought very reasonably, that it would be no difficult matter, to bring her into their views. As to the king of Poland, he was at that time, of little consideration; and the nation of Sweden, they knew would follow of course, were it only for the antipathy subsisting between the court, and the senate.

His Prussian majesty's intelligence, as I have already hinted, was far better than our's; for it is extremely plain, that when we concluded with him the
treaty

treaty of London in January 1756, we knew nothing of the connections that had been formed between the two empresses for a partition of his Prussian majesty's dominions, or for rendering ineffectual the treaty of Dresden, by which Silesia was ceded to that monarch, nor did we suspect that the very troops whom we took into our pay by the new subsidiary treaty, concluded with the court of Peterburgh in 1755, and which were actually put in motion by our money, would be employed against the very system which they were hired to maintain; I mean the preservation of the peace of Germany.

Such was the state of affairs when the temper of the nation becoming intractable by our loss of Minorca and the other disgraces we underwent, made it adviseable for his majesty to change his ministry, and to give the seals of the secretary of stateship to the right honourable gentleman who has lately resigned them. When he entered on

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his office, the public had a very good opinion of the court of Petersburg; and his late majesty was frequently heard to express himself as if he thought that her Czarish majesty might be brought to reasonable terms, and in short, that she would not be intractable. This was the general opinion for a long time; and I am not sure, whether it does not prevail with some people, who think that British money can do any thing, to this day. Upon the commencement, therefore, of the present troubles of Germany, we scarcely considered her Czarish majesty, as an object of importance in the war. The consequences, however, have proved that she is the only gainer by it, and that she has been, in fact, the most formidable enemy whom our great ally had to encounter; for it is morally certain, that had it not been for the irruptions of her troops into his Prussian majesty's dominions, and the footing she obtained in the regal Prussia, the possession of which in all appearance is

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guarantied to her by the empress queen, one campaign would have decided the war in his favour.

Notwithstanding the prodigious difficulties which the obstinacy of the court of Petersburg threw in our way, the system of conduct laid down by the right honourable gentleman, was of so firm a contexture, that we for several campaigns enabled his Prussian majesty to preserve the *appearances* of *superiority* in the field. This, however, we could not have done, but by the powerful reinforcements of our national troops, which we sent to Germany, to act against the French, the only power we were at war with there. The obtempering so disagreeable a necessity, it must be owned, implied some deviation from the principles, upon which the right honourable gentleman entered into the ministry; but it is plain, for the reasons I have exhibited, that it was utterly impracticable for us to keep to the letter of a strict neutrality, as to

troops upon the continent, without being accessary to the ruin of the protestant interest in Germany, and of public liberty in Europe. Had those melancholy events taken place, what must have been the consequence, with regard to Great Britain. Her ships might still indeed have triumphed on the ocean, but to what purpose, if all the ports, that France and Austria, Russia and Sweden, could command or have influence over, were shut against her? Had that been the case how long would the Dutch have been suffered to wear even the mask of neutrality they still retain? Would Spain have continued neutral? No, she has two motives, and only two, for breaking with us: the one is, when we are too powerful to suffer her encroachments in America; and the other, when we are too weak to oppose them. But more of this subject hereafter. Would any of the northern states or cities have dared to trade with Great Britain? No, Hamburgh
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and Denmark must take the law from those powers who are strongest on the continent. Denmark has shewn no great inclination since the commencement of the present war, to befriend either our cause or our commerce, and whatever differences may subsist, between his Danish majesty, and the court of Petersburg, they could not have been of importance sufficient to have diverted the former from what he so well understands; I mean, the taking every opportunity to promote the trade of his people; the prosperity of which, is in many instances incompatible with that of Great Britain.

Having thus stated the unforeseen difficulties of adhering to the letter of a neutrality, as to troops upon the continent of Europe, which the right honourable gentleman had to encounter; the reader must be of my opinion, that it was next to a miracle, that his system has been so well supported as it has been; and that a very small weight
thrown

thrown in the scale of his difficulties, at this time, must overfet it. I have already mentioned the *appearances* of *superiority*, which his Prussian majesty by our means, was for some time enabled to keep up. At present, nay, before the right honourable gentleman resigned the seals, he cannot be said to have preserved even the *appearance* of *equality*. His conduct, his courage, his œconomy, his temperance, vigilance, activity, and his other great qualities, amazing as they are, cannot work impossibilities; they cannot replace in his coffers the immense sums left him by his father; they cannot restore to life the fine armies he has buried in his wars with the house of Austria; they cannot procure him the seed of the Bœotian serpent's teeth, that when sowed in his exhausted dominions will produce a crop of armed men; they cannot wrest from his enemies the dutchy of Cleves, and his other, formerly valuable, estates upon the Rhine; nor from the Russians the

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territories that were the chief nurseries of his troops, and gave the titles of royalty to his family. Such is the peculiar situation, and so surrounded is he with enemies, that there is no country in Europe, from whence he can procure men, even for money. The difficulties of supporting such an ally, are too evident for me to point them out; yet to the astonishment of his enemies, he has hitherto been supported, and might have continued to be so, or saved by an honourable peace, had not difficulties multiplied, which the right honourable gentleman's credit with others could not surmount.

The connections or differences between Great Britain and Spain, are of all others, the most dangerous to a British minister, because of all others they are least understood by the public. It is not quite a hundred and fifty years since that court gave general orders to its sea officers, to treat all ships not belonging to their own nation as pirates, who

who should fall in their way to the westward of the Cape de Verde islands. Though the Spaniards would have purchased the friendship of Cromwell at a very high rate ; yet when he proposed that the English should have the liberty to trade with the Spanish colonies in America, their ambassador told him, that he “ might as well desire his master to pluck out one of his eyes.” After the restoration, the friendship of England became of the highest importance to Spain; and with great difficulty in the year 1667, a treaty was concluded between the Spaniards and us, relating to matters of commerce. The bounds I have prescribed to these pages do not admit of my laying before the reader, the various cases in which that treaty was not applicable to the American commerce of either nation, and which rendered it necessary to form another treaty entirely applicable to that commerce, which was concluded in the year 1670, and is now commonly known

known by the name of the American treaty. This treaty, amongst other articles, has one of *uti possidetis*, by which the subjects of both powers were to remain in possession, in the territories, privileges, trade, and immunities they were in possession of at that time; and by the 8th article of the same treaty, the subjects of neither power was to trade, or sail to the possessions of the other. This treaty is the basis of all that have been concluded between us and Spain, since that time. It establishes no right in the Spaniards, to limit our navigation, more than we have to limit theirs. It gives them no superiority in the American commerce, seas or continent; the terms being reciprocal to both nations. It is, however, extremely plain from the conduct of that court, that their government, having served their own purposes in Europe, by the two treaties, never once considered the English, as being on the footing of an equality with their subjects in America;

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and assumed an arbitrary power of constructing the sense of the article of *uti possidetis*, to their own purposes. For though it was undeniable, even by the Spaniards themselves, that the English were in possession of the logwood trade, or as the former affected to call it, the campeachy wood, for some years before the treaty of 1667; though it is certain that in the intermediate time, between the conclusion of the treaty of 1667, and that of 1670, the English thinking themselves safe under the former, had established a regular logwood trade at first near to Cape Catoche, and afterwards near Suma Santa, adjacent to the Laguna de Terminos, and to Trist and Beef islands, in which they never were interrupted by the Spaniards; yet in the year 1672, the queen regent of Spain published a royal cedula, ordering "that such as should make invasion, or trade without licence in the ports of the Indies, should be proceeded against, as pirates." Under the words of this cedula,

dula, our logwood trade was held by the Spaniards to be illicit; and the vast fleets of defenceless merchantmen employed in it were, wherever they could be taken by the Spaniards, condemned and confiscated.

This was done by virtue of a mere quibble, upon the term *uti possidetis*. The court of Madrid could not deny we had possession of that trade, before the conclusion of the treaty of 1670; but they disputed the legality of that possession. It happened fortunately for the English that that legality was as clearly evinced as the nature of the thing could admit of. It appeared that before the year 1667, the English had made no settlements for carrying on that trade in any place where a Spaniard was visible; that they had exercised all acts, by which the possession of an unoccupied country can be legally ascertained, viz, those of clearing the fields, cutting down timber, building houses, and establishing fixed settlements. The truth

is, that from that time to the acceſſion of the family of Hanover to the throne of Great Britain, we had no opportunity of ſettling this matter, either amicably or otherwiſe. The variances that aroſe between our Charles the ſecond and his parliaments, diſabled his government from entering into any other foreign meaſures, than what were preſcribed by the latter, who were too much employed in matters, which they thought of more immediate concern to themſelves and their poſterity, to enter or to think of entering into a war with Spain, upon that or any other account. The reign of James II, who underſtood trade extremely well, was too ſhort, and his views were too much employed other ways, for him to do any thing effectual in the matter. The unvarying maxim of king William's reign, was to keep well with Spain, and to cheriſh her in all events, which perhaps is the greateſt blot upon his memory. Witneſs the treatment, which the Scotch adventurers

turers at Darien met with, in a case that with regard to the right of possession, was similar to that of the English logwood cutters. The reign of queen Anne was still more improper for our entering either into a war, or a negociation on that account: for in fact, during the whole of it, we did not know whether Charles or Philip was king of Spain. We acknowledged Charles, but Spanish America acknowledged Philip. A treaty with Charles on that head, therefore would have been ridiculous; and one with Philip was impracticable.

No sooner, however, did the Spanish monarchy after the treaty of Utrecht recover some strength and consistency with itself, than its government had recourse to its original maxims; our logwood trade upon the bay of Campeachy, was attacked and destroyed; our ships seized or sunk, and our fellow subjects murdered.

Though I do not intend to enter too minutely into particulars, yet it is certain that the two ministers under king
George

George the first, I mean, the earls of Sunderland and Stanhope, who best understood our foreign interests, were too short lived to do their country any service in the affair we now treat of. No one who reviews the history of Europe can say, that Sir Robert Walpole's administration was of a complexion proper for vigorous measures either in peace or war ; for vigour is equally necessary in both states. The great caste of his politics tended towards peace, and had the spirit of the nation suffered him, he certainly would have made very considerable concessions to Spain. But though the Spaniards had, in a manner, refused to treat without making their exclusive right to the logwood trade in the bay of Campeachy, a preliminary to the negociation ; and though some of the English ministers both before and during his administration, had been so remiss in asserting our right of logwood cutting there, that the Spaniards considered it as a claim we had given up, yet Sir
Robert

Robert in all the warm debates about peace and war in the year 1738, never would venture to call the right of the English to it in question, though he favoured, as much as he could, the Spaniards in all their other claims. In the resolutions that were proposed that year previous to the Spanish war, and which were presented to the house of commons by Mr. P. now earl of B. one of them was “ That the subjects of Great Britain did hold and possess lands in the province of Jucatan in America, antecedent to, and at the time of the treaty of 1670; which treaty confirmed the right to each contracting party of such lands or places, as either did at that time hold and possess; and that the subjects of Great Britain then had, and have at all times since, claimed a right of cutting logwood in the bay of Campeachy, and enjoyed the same without interruption, till of late years; which right seems further particularly secured to us, by the manner in which the first article of the
treaty

treaty of commerce at Utrecht, confirms the treaty of 1670, with those remarkable words,—"Without prejudice to any liberty or power, which the subjects of Great Britain enjoyed, either through right, sufferance or indulgence."

Sir Robert Walpole did not venture to dispute the truth of this resolution, though he knew it was inconsistent with the interest of the South-sea company. He objected, however, to the resolution, as being too peremptory and inflammatory, and proposed another set more mild and general, and which, as he himself said, left the subjects of Great Britain at liberty to pursue their claims to lands in the province of Yucatan, to cut logwood in the bay of Campeachy, and to other privileges either of possession or navigation. The resolutions, which on the same day and the same occasion, were agreed to by the house of peers, make no particular mention of the logwood trade; but in general, mention the unjust and groundless

less pretences of the Spaniards, upon which the English shipping and their cargoes, both before and after the treaty of Seville, had been violently seized and confiscated; alluding to the barbarous and illegal surprisal of the logwood ships by the Spaniards in the bay of Campeachy, soon after the accession of king George the first. The famous convention that followed, made no mention of this matter; so that it was understood to be one of the points that were referred to be settled by plenipotentiaries; and the treaty of Aix la Chapelle left the affair where it found it, and where it now rests.

This being a general, but true, representation of an affair, so interesting to this nation; what is a British minister to do, if the Spaniards, in the bay of Honduras, are, at this very time, treating the English subjects there as interlopers and pirates? The passive conduct of Sir Robert Walpole towards Spain, was

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the most blameable part of his foreign administration, and the most effectual charge that was brought against him. Was the right honourable gentleman, who lately resigned the seals of his office, to be considered by the nation in the dangerous character of his majesty's first minister, and yet tamely to suffer such a proceeding on the part of Spain to take place? Would not this have been considered, and justly too, as tacitly giving up an important national right? The right honourable personages, who differed with him in opinion concerning the conduct to be observed towards Spain, would never have been questioned by their country for the consequences. The public would have considered *him* alone as responsible.

But the right honourable gentleman by his post, had opportunities of coming at other facts, that perhaps might have justified the most abrupt procedure towards Spain. We have heard of 11 English ships, who sailed with
Spanish

Spanish pilots on board them, out of the Spanish harbour of St. Lucar, and of a French privateer, who, against the law of nations, was suffered to follow them, and who took them within land, and in shoal water. Those vessels were adjudged to be good prizes, notwithstanding all the applications of our ambassador at the court of Madrid. Even British men of war have experienced the shameful partiality of that court in favour of the French. After the *Tele-machus* privateer had attacked his majesty's ship the *Experiment*, and though double the force of the latter, was obliged to strike to the English captain, who sent his boat with his master and four men ashore, to land several of the prisoners, and bring him some necessaries, the officer and crew were seized, and imprisoned, under the arbitrary pretence that the capture was illegal; and the master has but lately recovered his liberty.

We have still a more flagrant instance of the Spanish injustice, insolence, and cruelty in the case of the *Saltaſh* sloop of war. This vessel, in June 1760, after chasing ashore a French row-boat to the eastward of Almeria bay, took another French row-boat off of Mahon, which the captain of the *Saltaſh* sent to anchor in the said bay, with a midshipman, and 14 men on board, who, with the prize, were all detained by the Spaniards, and the men made prisoners. The same fate followed the master, and five men of the sloop's crew, who were sent with a boat to enquire after the prize, but who were, all of them, seized and thrown into the common jail, where they were beat, and abused in a manner too shocking to be related; and where if I am not misinformed, they still, to the number of 19, remain prisoners. This shameful breach of neutrality was followed by another, in the case of the *Speedwell* cutter, which after being chased into the harbour of Vigo by the *Achilles*

Achilles, a French man of war, was there declared to be a lawful prize. The commanding officer in the cutter was tried for the loss of the vessel, but was honourably acquitted by the court, who declared the capture to be illegal.

It is a truth too notorious to admit of dispute, that in Cadiz, in the harbour of Vigo, and at Cabaretta, a small castle situated in the gut of Gibraltar, lie whole fleets of French privateers and row-boats, in 30 of whom are not 30 Frenchmen, and, in many, none at all, the crews being, almost, entirely Spaniards and Genoese. It is an established custom amongst all nations, that when two ships, belonging to two powers at war, are lying in any neutral port, if one of them sails out of the harbour, the other is not to follow in less than 24 hours. At Cadiz, this regulation was so far from being practised towards the English, that the French ships were at liberty to follow a British ship as soon as they pleased; while the British were
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restrained to the usual time of twenty-four hours. The French row-boats at Caberetta, who most, if not all of them, are manned by Spaniards and Genoese, do infinite prejudice to the British victuallers bound for our garrison at Gibraltar; and great numbers of French privateers, are not only manned, but built by the Spaniards. I shall but just mention the case of the English vessel, taken close in with the Spanish shore, and reclaimed from the governor of Alguziers (a Spanish garrison opposite to Gibraltar) by Sir Edward Hawke. The governor peremptorily, and haughtily refused to comply, and our admiral was forced to order his boats to cut out the English vessel from under the Spanish fort; which service they bravely performed, but with the loss of 150 of our sailors, who were killed by the fire from the fort.

I have selected those instances of the Spanish partiality and injustice, not because they are the most shocking, but
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because they are well known, and have been unquestionably authenticated. After this, can Spain be said to be a neutral power? Can a minister who is supposed to direct our foreign affairs, be safe in continuing in that character, while such injuries and breaches of friendship, are committed under the mask of neutrality. Should so tame a behaviour ever come under a public, or parliamentary, disquisition, what could such a minister say in his own defence? He could not plead, that our being at war with France, rendered it highly hazardous to bring upon the nation a war with another power, that was fresh, rich, and flourishing in her fleets, finances, and commerce. The answer to such a plea (the only plea, in fact, that could be urged in such a case) would be very short, and very pertinent." You have in commission a navy, that can bid defiance to all the maritime power of Europe. Since the destruction of the French marine, you have no object for
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that navy to encounter, and you can make war with the same expence against France and Spain jointly by sea, as you can do against France singly. By declaring against Spain, you never can be brought into a land war; and the Spanish trading ships, are objects that will help to defray the expences of the nation, during both the wars. Besides, the honour of the nation, the dignity of his majesty's crown, the interests of the British commerce, and the sufferings of your fellow subjects called aloud for such a war, and you had a precedent during the administration of Sir Robert Walpole, which proved that this nation will not be satisfied without such a war, as the circumstance that demand it, are similar.

Notwithstanding all I have said, I believe if the treaties between Spain and England, are accurately examined, it will be found that we might have obtained sufficient redress from Spain for what is past, and security in time to come,

come, without going to war. By those treaties, a certain time is limited for demanding satisfaction, which being elapsed without obtaining it, the complaining party was at liberty to make reprisals, without any declaration of war. This is a practice often to be met with in history, especially in that of Oliver Cromwell, always produced good effects to this nation.

But the right honourable gentleman had, I had almost said in his own time, a striking instance of British spirit with regard to Spain, when in the year 1718, the Spanish marine was without any previous declaration of war, destroyed off Messina by Sir George Byng, afterwards viscount Torrington. Is there a Briton at this day, who condemns our government for that masterly stroke, who thinks that we were too precipitant, or that we acted therein rather as pirates and barbarians? No, the injustice,

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obstinacy, and ungenerosity of the Spaniards after the fairest warning given, drew the chastisement upon themselves. The blow then struck was the glory of that reign, and will meet with the approbation of posterity. It may be said that the causes of provocation were very dissimilar; I admit they are. In the one case, we resented the injuries done to our allies. In the present, we resent those done to ourselves, and our nearest concerns. Which is the strongest cause of provocation, let the reader judge, or whether it is not high time to ascertain the rights of Great Britain, if they are disputed, and to vindicate them, if they have been injured.

This nation is not now, as in the time of Sir Robert Walpole's administration, in such a ferment against Spain, when every false and unsupported allegation was received in parliament, and swallowed by the public. The injuries we
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complain of, regularly, and respectfully for his majesty, have been laid before his ministers, and are by them, known to be facts; of those facts, I have purposely hitherto omitted the mention of the most important. I mean the case of the Antigallican privateer; a case of so much importance, that I may almost call it national, and of so long standing, that it is a sufficient evidence of our ministers moderation, and unwillingness, to come to a breach with Spain. The circumstances of that capture, of its unjust detention, and of its being more unjustly restored to France, have, with the proper vouchers, been so often laid before the public, that they need not be recapitulated here. It is true, the injustice done the captors, and the owners of that privateer, passed in the reign of the late king of Spain; but still it was an act of his government, and all the proceedings of his present catholic majesty's officers prove, that

they go upon the same arbitrary and unjust principles. Thus, I think, I have fully demonstrated my first proposition, viz. that the right honourable gentleman could not, consistently with his own safety, continue in the high post he held, after being forced to deviate from the great lines of conduct, he had chalked out, when he first entered upon it.

My second proposition is, " That his resigning under the circumstances he found himself to be, was the most effectual service he could perform to his country, and entirely agreeable to the maxims of her constitution; as explained, and understood, since the revolution." Very little reasoning may suffice, to prove this proposition. Unanimity in council, and in parliament is the glory, and may be called the characteristic, of his majesty's auspicious reign. But it is absurd to imagine,

gine, that that unanimity could subsist, while a difference in opinion prevailed between the first minister of state (supposing the right honourable gentleman to have been so) and all the other servants of the crown, his own brother-in-law excepted. The vast prepossession of the public, in the right honourable gentleman's favour, must have always influenced many, both within, and without doors, to have adopted his sentiments, while he delivered them as a minister. The other servants of the crown oppose him. The consequence is, first a reply, then a rejoinder, then speech upon speech, till, as happened under the tory ministry, and that of Sir Robert Walpole, the whole secrets of the cabinet are laid open, our enemies become the masters of all our measures, and we ourselves a laughing stock to all Europe. Though I am as much of opinion, as any man can be, that a faithful British minister ought

ought to deliver the same sentiments in parliament, that he does at the council board ; yet a member of parliament may, very consistently with the duty he owes to his country, sometimes make a small sacrifice of his private opinion to unanimity. This is what a minister, I mean, a directing minister, cannot do ; especially when he meets with an opposition. The very opposition breaks the unanimity, and he is obliged, if I may so express myself, to defend his measures when once he has taken them, at all Events. He can observe no medium ; for his situation does not admit of a neutrality.

The situation of the right honourable gentleman, at the time when he resigned the seals, is without any precedent in history : if we are able to believe his own words ; and there can be no reason for doubting them. The Clarendons, the Arlingtons, the Somersets, the Godolphins, the Oxfords,
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the Stanhopes, and Walpoles, of former times, had credit enough, even in the wane of their power, to divide the council, if not the cabinet. When a measure came to be debated in parliament, they had friends, they had dependents in both houses, ready to relieve them from the labouring oar of censure and debate. When they were in full credit, the cabinet and council were very seldom divided; and if a division happened in parliament, the odds lay so much on the ministers side; that it generally strengthened his power. I myself, during the administration of Sir Robert Walpole, was in parliament, and in the opposition to his measures; but, while that minister was in full power, our debates never proceeded to a division, without our laughing at one another, at the ridiculous figure we made; and for eighteen years, I do not remember five instances of those who are properly termed his majesty's servants,
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being in the minority, against the minister. I am far, however, from saying, that during those eighteen years, there did not happen great heats, both in the council and the cabinet. But I do not remember a single instance of the smothered flame breaking out in parliament. When one of his majesty's servants differed with his minister, he always gave fair warning, and before he had an opportunity of dividing with the minority, another servant was found, cut and dry, to supply his post. Thus the measures of Great Britain always had the appearance of unanimity, in the council, and the cabinet, which in the times of greatest disaffection and dissatisfaction, imprest our people, as well as foreigners, with notions of reverence for the government.

But what must have been the consequence, had the right honourable gentleman, situated as he was, retained the

the seals of his office. "A house divided against itself cannot stand." But the division that must have happened in such a case, would scarce have merited that appellation. Two members, against a whole council board, must have made a very ridiculous figure at that board, when the measures upon which they differed came into parliament. I am far from saying, that the high opinion, the public has of the right honourable gentleman's abilities, and integrity, would not have made a much more considerable division; but still it would have been extremely ridiculous, to have seen all his majesty's servants divide against one servant in the house of p---s, and against another in the house of commons. How must foreign nations, how must the more uninformed people of this country, have considered such a division? And yet such a division must have taken place, had not those two servants sacrificed their

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consciences ; or, what is highly absurd to suppose, had not all the rest of his majesty's servants sacrificed theirs.

There was therefore no medium for the right honourable gentleman, and his noble friend to observe, but resignation. They could not otherwise consult the dignity of government, the honour of his majesty, or the interest of their country. What a figure must the British history have made in a reign, when two persons, comparatively speaking, of no very great property, shall arrange themselves on one side of the board, and all the rest of his majesty's servants on the other. When I say this, I keep, entirely out of the question, the propriety or impropriety of the measures, proposed or opposed by either party, if two persons can deserve that name. I shall admit them to be problematical ; but, surely, I think it no matter of dispute, that public business cannot be carried on
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with any degree of decency, or any probability of success, if the directing minister is of one opinion, and all the rest of his majesty's servants of another.

It happens, I will not say unfortunately, but unaccountably, for this country, that neither its constitution, nor laws, define the post or power of a minister of state, or even suppose that any such can exist. Notwithstanding that, there has been, in every reign, even before the conquest, a scape goat, under that appellation, who has suffered for the sins of the government. The post of a minister (let me repeat it) in Great Britain, is not constitutional; but it is necessary. A man may be unambitious, and yet he may be, as it were, pressed into it by the voice of his country, and the will of his sovereign. I shall not pretend, the right honourable gentleman to be possessed of that stoical self-denial, as to have required pressing into the post

he has lately resigned; but, I will venture to say, that both his sovereign's will, and the public voice, concurred in promoting him to it, if it can be called a promotion, considering the degree of credit he stood in with the public before. All I would insinuate by this is, that the right honourable gentleman was not blameable in accepting it; but, as has been observed on other occasions, the post of honour, is generally the post of danger; perhaps, in this case, a useless danger both to the possessor and his country. If our constitution favours the existence of a first minister, it is certainly in the person of the lord high chancellor. But that great officer may act, or not act, as he sees proper. While he keeps clear of corruption, he can be in no danger from the consequences of his administration; nor doth the constitutional part of his office extend one straw breadth beyond the limits of the British dominions; nor, indeed, through

through all of them. While he acts within the sphere of his office, the bounds of equity, if equity can be said to have bounds, confine, direct, and secure him. The same observation holds good, with regard to all the other great officers of the crown. Laws, practice, and precedents limit their duties.

This is not the case, with regard to a secretary of state. Other officers of the crown, when they commence ministers, may be considered as volunteers in the service. A secretary of state the moment he enters upon his post, is an enlisted soldier. While he receives pay, he must do his duty; only with this difference, that he has the privilege of quitting the service when he pleases; but, having quitted it, the parallel holds true; for he may be called to account, both for the omissions and commissions he was guilty of, while he was upon his post. This is one of the great acquisitions

sitions we have made by the revolution. While the minister has the privilege of retiring when he pleases from public business, his country has the power, at the same time, of overhauling his conduct, if I may be allowed the expression. A minister cannot now, as formerly, plead "I was over-ruled by the will of my master, I was out-voted at the board, I was brow-beaten in the cabinet." He has an easy remedy for all these evils, which is comprehended in a single word, and that is, he may RESIGN. This is the only safety any British minister has; and it is a refuge, that is always in his power to command.

But a secretary of state is under a greater necessity than any other minister is, for taking shelter in this refuge; because of the directive power, which by the nature of his office, he is obliged to exercise. Every dispatch he issues from his office, is an evidence against him;

him ; and was, his master, and all his council, to concur in a measure, which he disapproved of ; he cannot be forced to put the seals of his office to it. In fact, though the lord chancellor is said to be the keeper of the king's conscience in matters of law ; the secretary of state, is certainly, the counsellor of his judgment, in affairs of government. He has no rule for the exercise of his office, but an upright intention, and a sound judgment. The matters on which he is consulted, are without the cognizance of law, and relate entirely to the prerogative, which is to be defined only by itself. This is a consideration, which renders the post of a secretary of state, more dangerous, and ticklish, than that of any other minister in this country. This naturally leads me to the third proposition I laid down, which is, " that the right honourable gentleman's resignation, does not disable him from offering his opinion to his majesty, his parliament,

liament, and his council, upon the public measures to be pursued, with as much freedom, and with more weight than he could have had, had he retained the seals of his office."

When a great disputable point is under agitation, it is almost impossible to consider a minister as a neutral person. It is always supposed, that he is interested on one side or the other ; and that he has a personal concern, either in abetting or opposing, the debatable proposition. Thence it happens, that though his power, and credit, may very possibly carry through a measure at the council board ; yet his opponents, be he ever so well intentioned, never think they have fair play shewn them, while he acts in his ministerial capacity. When he divests himself of that, as the right honourable gentleman has done, the rest of his majesty's servants consider themselves, as being upon the same footing

ing he is. No influence of post or power takes place, and he is at liberty to support his reasoning with arguments, that, in a ministerial capacity, would be highly improper for him to urge. It is in this light, and in this light only, that I consider the right honourable gentleman's resignation. It is the same thing in the cabinet, as in the field. We have, in our own times, known great generals contented to accept of a subordinate place in the army, when the good of their master, and their country, was all they had in view; and in that subordinate capacity, they have been known to do more service to both, than they could have done, had they still retained their supreme command.

They who clamour the loudest against the late resignation, do it only because they regret the right honourable gentleman resigning the post of a minister, and the direction of affairs. But has any

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event happened, that since his resignation, gives us room to fear he will no longer act as a counsellor to his majesty. Constitutionally speaking, there is no difference between a counsellor and a minister. Both are equally servants to the crown, though, through the prepossessions of the public, the former capacity is attended with much less danger, than the latter; and therefore the resignation, that is imputed to pride and resentment, ought to be attributed only to moderation and prudence. When I consider the letter published under his name, as being genuine, I am at no loss to account for his prudential motives. The tenderness we have expressed for Spain, ever since the peace of Aix la Chapelle, has never suffered us coolly to consult our own interest, so far as to obtain from her a definitive treaty, that could be a direction for any minister in negotiating with that court. I am far from saying, that this state of indecision

as to our interest with Spain, has been entirely owing to us. It is well known, that that court never could be brought formally to renounce a single claim, she ever advanced; and though she might now and then make a temporary concession, she has been always uniform in her tenor of usurpation, haughtiness, and injustice. This is a most uncomfortable state for a minister, who is supposed to have the direction of foreign affairs to live in; especially, when that people's partiality to our enemies, exceed all bounds of neutrality.

This partiality was so gross, that she seems to consider her concerns, and those of France with us, as being the same; though surely in their nature, nothing can be more distant. Though a Spanish ambassador resided at London, the French agent was entrusted to negotiate for Spain; and upon what? Not upon any point, that ever can concern France, but upon some differences of

an old standing, which had not yet been finally adjusted, between the Spaniards and the British court. What those differences are, may readily be learned, when we reflect, that it is now 89 years, since the Spaniards attempted to deprive us of the logwood trade, in the bay of Honduras, though our right to it, was clear and indisputable. About the year 1715, the same attempt was renewed in the most inhuman atrocious manner, in a time of perfect tranquillity; though by the very first article of treaty of commerce, between us and Spain, concluded the 28th of November 1713, the treaty of 1670 was ratified “without any prejudice, however, (says the words of the treaty) to any liberty, or power, which the subjects of Great Britain enjoyed before, either through right, sufferance, or indulgence.” Notwithstanding this express stipulation, Spain, at this very time, has had the modesty to employ the
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French agent to tell us, that before the American treaty, we had no such right, sufferance, or indulgence. Thus our differences are reduced to the single fact of possession, which has been as clearly proved in our favour, as the nature of the thing can admit of; and, indeed, more fully and unexceptionably, than could have been expected, in a matter, attended with such difficulties.

The right of no search or visit upon the American seas, is another of those old differences, not finally adjusted between our court, and that of Spain. Our minister, perhaps, thought that they had been adjusted so much to our own satisfaction by the resolutions of both houses of parliament, preceeding the last declaration of war with Spain, and by that declaration itself, that he could not consistently with the honour, and interest of his country, and his own safety, admit that claim on the part of Spain, even to be debated, far less questioned,

questioned. That court, however, still goes on, as if all the facts lay unquestionably in her favour, by committing the most notorious breaches of that neutrality, which she ought to observe; and even that neutrality gives her protection. What is a minister to do in this case? He cannot treat, because the other party is actually intractable. At the same time, he cannot sit at the helm of affairs, and see such acts of partiality and injustice acquiesced in, and multiplied. Only two methods, therefore, are left him; the first and most eligible is, to resent them with quickness, spirit and efficacy; and if that is not allowed, to RESIGN; which the right honourable gentleman tells us, he has accordingly done.

As to the most gracious and spontaneous marks of his majesty's approbation of his services, his accepting of them as he did, is, I think, more to his honour, however infamously it has been traduced,
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than all his other services. Had a minister, like him, of acknowledged popularity with many, even to idolatry itself, not only resigned his post, but spurned at those marks of his majesty's approbation, what construction would even the most rational part of the public have put upon such a behaviour? "Mr. P. they would have said, sees what unwarrantable measures are carrying on, he has too generous a spirit to give them countenance, by receiving hush-money; it now behoves every free subject of Great Britain to look to himself, or he certainly is undone." What must the consequence of this reasoning have been; but the throwing distrust and contempt upon majesty itself, the reviving animosities, worse than all that have been buried in the grave of party, perhaps, even to the obstructing of the supplies. Thus the right honourable gentleman's mistaken patriotism might have made him the instrument of ruin to his country.

try. They who reproach him now with making a bargain for forsaking the public, would have then been as mad in their praise, as they are unjust in their detraction; but the effects would have been more melancholy. His own upright intentions, and the cooler hours of the public, will soon place him above the reach of obloquy, and vindicate him from censure: but in the other case, his disagreeing with the rest of his majesty's servants, as to *one* measure, might have destroyed *all other* measures; and many such undoubtedly there are, in which they are unanimous. The conduct the right honourable gentleman has observed, distresses no part of the administration; it gives the public no cause of jealousy; and is a strong evidence, that his majesty, and his government, are still to be benefited as much as ever by the right honourable gentleman's abilities and virtues. His manner of resigning, carries with it no
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marks of that sourness and discontent, that generally attended former resignations, and were productive of heats and faction. If the public is not grossly misinformed, the right honourable gentleman has, at this very time, as great a share as ever of his majesty's confidence, and as great an influence in his councils. When the city of London, after his resignation, was so much alarm'd at it, that the lord mayor, aldermen, and common councilmen, in common council assembled, paid him a very extraordinary, but a very just, compliment, expressing their sense of his services, and their apprehensions, as to the consequences of his resignation; his answer was the most dutiful, with regard to his majesty, his government, his fleets and armies, that words could convey, and very different from that of a person who intended to withdraw his services from his master and his country

Upon the whole, therefore, the right honourable gentleman, in his conduct

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does, by no means, seem disposed to thwart the measures of the rest of his majesty's servants. But if his plan was rendered the basis of future measures, he certainly was, in a high degree responsible for them. If the differences at the c---l b----d did not arise so much from the impropriety of the plan or proposition, as from the manner and strength with which it was to be executed; if he thought that what others proposed would be ineffectual for carrying on the purposes of his plan, and that a double force, and a more peremptory manner were requisite, he certainly acted constitutionally, as well as rationally, in withdrawing from that combustion which must necessarily have broken out, had the whole proved unsuccessful or disgraceful. Thus far, however, the public has reason to believe, that notwithstanding the solemn, and indeed effectively repeated assurances, that Spain has given of her intention, to live in friendship with Great Britain, even they
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who differ from the right honourable gentleman, as to the measures to be observed towards that crown, think that an elucidation of its intentions is reasonable. Our minister at Madrid, therefore, has been often instructed to demand a peremptory explanation of that court's meaning and intentions. We have, as I have already hinted, been again and again told, that they are very friendly and very favourable towards us, and I make no doubt, the same assurances will be repeated and enforced, were we to make five hundred applications on the same head. What was the case before the last Spanish war? Don Joseph de Patinho and Mr. Keene talked to one another like two sworn brothers; we never mentioned a grievance that we suffered, either in Europe or America, that was not instantly redressed, (I mean upon paper) to which redress, their servants and governors paid no regard, for the reason I have so often mentioned, because they knew

their ministers were resolved obstinately to adhere to their own sense of treaties, and forms of proceedings; so that when the most flagrant cases came to be canvassed in their courts, the British subjects were always sure to lose their cause. Some facts were too notorious to be denied, and then instructions were dispatched to their governors in America for an immediate restitution; but instead of complying, they always returned for answer, that their master's ministers and judges had been misinformed, and that they would send a true state of the case. This juggling, between orders and remonstrances, infallibly consumed seven or eight months more, till the British sufferers were obliged, either to put up with their losses, or to be ruined by their expensive, unavailing attendances at the court of Madrid, and its inferior jurisdictions.

Somewhat of the same game on the part of Spain, seems to be going forward at this very time. We have heard
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of magnificent protestations of friendship, of orders dispatched to governors, and the like, but of no examples being made of the unparalleled insults and losses, we have suffered, by the breaches of neutrality; which I have reason to believe, are more flagrant, and numerous, than the public is yet aware of. The time has been, when the single case of the Antigallican privateer, would have been a sufficient inducement for an English government, to have done more against Spain, than all that was proposed to be done by the right honourable gentleman, and his noble brother-in-law.

But the infractions of neutrality I have mentioned, and the shuffling professions of Spain (for every negotiation is so, that is not attended with immediate effects) are of the very worst complexion by the separate, and, as intended, secret treaty, concluded between the courts of Madrid and Versailles, on the 25th of August last. Had the behaviour of
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Spain towards us, been ever so unexceptionable, yet considering we are at war with France, our minister by the practice of all wise governments, had a right to demand from Spain, a sight of that treaty, which being refused, must give him very uneasy apprehensions. It is said, indeed, the Spanish ministry has declared, that it was only a treaty of alliance and friendship, with a confirmation of certain family compacts. This general answer, speaks the very character of the Spanish government. Are not all treaties between princes, treaties of friendship and alliance? We have, it is true, heard of such things, as offensive and defensive alliances; but a man can scarcely be such a novice in history, in that of France especially, as to be ignorant, that when two powers understand one another, every defensive alliance may become an offensive one; this is done by either of the powers declaring, that he has no other means left of defending himself, but by attacking his

his adversary. As to the family compacts, these may extend as far as the two courts please. I should not at all be surprized, at hearing, that after the accession of his present catholic majesty's father to the crown of Spain, a family compact was entered into between him, and his grandfather, Lewis the XIVth. of France, for preserving the indivisibility of their mutual possessions in America, and in the East and West Indies. I say, it is extremely probable, that such a family compact actually was entered into; nor are we to be surprized, that France has never called upon his catholic majesty till now, for the performance of it. It is well known into what a despondency of mind, his late catholic majesty was thrown by the death of his queen, at the time when our operations against France, was carried on in their full vigour upon the continent of America, and in the West Indies. The condition his catholic majesty then was in (and from which he
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never recovered) disabled the Spanish ministry from entering into any such measures, especially, as the whole body of their people, were strongly averse to a war with Great Britain. Since the accession of his present catholic majesty, the incredible efforts he has made to restore his marine, which in his brother's life-time, had gone to decay, is notorious all over Europe; they have been such, as strongly indicate, that they are intended more for offence than defence. But though he can command money, and though money can procure ships, yet it cannot all at once, though it may in process of time, raise seamen; and the right honourable gentleman very probably, might think, that his catholic majesty's present inability to man his navy, was the strongest inducement, why we should oblige him to come to an explanation of his intentions one way or other.

Here the stress of the argument, between the right honourable gentleman's friends,

friends, and opponents without doors ought to lie. Whether he did, or did not, *guide* the measures, that were concerted in the cabinet, is immaterial to us. It is most probable, that he had *guided* them for some time, because the words of his own letter seem to imply so much. But that could not happen, but with the good pleasure of his majesty, and with the approbation, or at least, the acquiescence of the other servants of the crown; a mark of esteem and confidence, reposed in him, that redounds highly to his honour. The ridiculous censures, that have been thrown out against the right honourable gentleman, upon his accepting the unsolicited reward, which his majesty thinks his services had merited, have been already exposed in these pages. His enemies have been so ingenious in their malice, as to conjure up a parallel between him and the earl of Sunderland, to whom queen Anne offered a pension of 3000 *l.* a year, when he

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lost the seals; and whose answer was, that "if he could not have the honour to *serve* his country, he would not *plunder* it."

Without disputing the authenticity of this very questionable anecdote, let us consider how the parallel stands. The earl of Sunderland was very intimately connected both in blood, and interest, with the duke of Marlborough, the earl of Godolphin, and all the heads of the whig ministry, who had firmly resolved to stand by one another, and politically speaking, neither to take, nor to give quarter. The queen had more than once expressed a fixed resolution to take the seals from the earl of Sunderland. The dutchess of Marlborough begged "upon her knees," that he might keep them, but the party had taken their measures, and the seals were wrung from the earl, in a manner, by the force of prerogative. What was his lordship to do in this case? Was he to break from the measures of his friends and
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party, who were yet far superior to his antagonists in the house of lords, and at least ballanced them in the house of commons? Was that nobleman, opulent as he was in his fortune, and great in his connections, to render himself the out-cast of one party, and the contempt of the other, by accepting a bribe to desert those very friends, by whom he foresaw, as actually afterwards happened, that he must return again into power, with full credit and honour.

Can any parallel be drawn, between this case, and that of the right honourable gentleman? The latter resigned those seals, which were violently torn from the former; the one was engaged with a strong numerous party; the party of the other was composed of himself and his brother-in-law. The peer, when his post was wrested from him, looked upon his allegiance to his sovereign, as next to being dissolved, and never assisted at the council board, till he came again into post: the commoner continues his

services to the crown, and his country, with the same ardour and effect, as ever.

But the precaution, taken by the court of France, in publishing the late negociations for peace, is a better vindication of the right honourable commoner, than any that a private pen can advance. He, very honestly in his letter, says, that he resigned the seals, on a difference of opinion, with regard to the measures to be employed against Spain. This publication explains his meaning. France, by a very uncommon, but a most insolent, strain of policy, found means to make his most catholic majesty, a party against us, and yet to continue the Spanish minister's residence here. Had the latter made the demands contained in monsieur Buffy's memorial, a very short answer, no doubt, would have followed, and such, as very probably, must have forced Spain to have thrown off her mask, before she was prepared.

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“ No, says France, I will save you that trouble ; my minister shall take the affair upon him ; it cannot be worse with him than it is already, and his memorial, upon that head, will let the English ministry see, that I am to be supported by your catholic majesty.”

Accordingly, to work monsieur Buffy goes, and lugs into his memorial, on the part of Spain, three very modest demands ; First, “ That some prizes, made during the present war under the Spanish flag, should be restored.” This is a ridiculous, as well as an unjust demand ; for if those prizes were condemned, they must have been so by the maritime law, which is in common to all nations, and admits of neither appeal, nor redress. Had Spain any regard to that law, when she ordered the restitution of the duke de Penthievre Indiaman, the Antigallicans prize, merely by a strain of despotic authority ?

The next modest demand, made by France on the part of her most catholic

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lic ally, is, “ That the Spanish nation should have libery of fishing on the banks of Newfoundland.” Though I am far from pretending to instruct our ministry, yet I cannot help thinking, that the best answer to this demand, would have been a counter proposition; viz, That the British nation have liberty of digging in the mines of Potosi. I will defy the most subtle logician at Salamanca, to prove, that we have not as good a right to the one privilege, as Spain has to the other.

The third demand is penned in the infernal spirit of the inquisition, for it requires, “ The destruction of the English establishments, formed on the Spanish territory in the bay of Honduras.” I have in the course of the preceeding pages, shewn how unjust such a demand is. All I shall add here, is an observation or two, to strengthen the remarks, I have already made upon the Spanish method of negotiating.

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There is, I believe, scarcely a man of sense in England, absurd enough to think, that monsieur Buffy would have made those modest demands without being authorized in so doing, by his most catholic majesty. Notwithstanding this, the Spanish ministry, as we have been told by authority, never were better, or so well, inclined to live in friendship with us, as they are at present. We have been likewise told, though not by Gazette, but by no mean, authority, that though they, perhaps, *slightly* mentioned some concerns of their master, to monsieur Buffy, that he might *slightly* mention them to the English ministry, yet he never was commissioned to treat, far less to insist, upon them.

Those assurances had great weight with the public, and would have had greater, had they not received the lye, by the above-mentioned publication of the negociations. Can any one, who reads Buffy's memorial, believe, that he intended

tended ought by it, but to say to Great Britain, " Take care what you do; if you comply not with my proposals, the Spaniards are ready to force you, into much harder terms; perhaps if you comply with my master, he may prevail with his most catholic majesty, to mitigate them; and reflect upon the glorious guaranty, that is offered you."

What was the right honourable gentleman, in his character of first minister, to do in this case. Mr. Wall and Don, *such or such a one*, in a little chit-chat with our ambassador, say, that they know nothing of the matter; that those French are a very forward, busy, meddling, people; and that they are very sorry for what has happened. But have they yet formally disavowed this open insult upon the British government; have they, by authority, disowned what Buffy demanded? Or suppose they had done both, was the British minister to take their bare words, and writing, unless they had formally

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renounced all the pretensions, upon which their absurd claims are founded? Even that was not sufficient, unless they had, actually and immediately punished such of their governors and magistrates, who, under the cloak of those wicked demands, have imprisoned, robbed, nay murdered British subjects; and unless they had laid aside those armaments, that apparently are intended to support their claims.

But through the whole of this memorial there runs a strain, that proves Buffy to have thought that he had not to do with men of common understanding. He tells them; "My master is willing to make peace with you; but he is very sure, the same peace must be very soon broken, unless you take for a guarantee his most catholic majesty, who has, by far much stronger, and more important claims upon you than my master has." Is there common sense in this language? Are we to pay for a guaranty, which,

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(setting aside the guaranty of Great Britain to the house of Austria) like all other guaranties for these five hundred years past, may not be worth five farthings; five times more than all the objects of that guaranty is worth. As the reader may perceive that I confine myself entirely to the vindication of the right honourable gentleman's resignation, on account of our differences with Spain, it now remains to consider, upon what footing we stood with that court when the negotiations for peace with France were broken off.

The right honourable gentleman, with a spirit becoming an English minister, and doing honour to the British name, resented the daring insult offered to his master's dignity, by Spain attempting to introduce herself into the negotiation. France, sensible that she had not now the same tameness to deal with as formerly, found she had gone too far. The British minister

ster had flung back to Bussy her insulting memorial, and likewise another relating to the king of Prussia, that implied a stain upon British honour; and there was not a foreign court in Europe, which was acquainted with the negotiation, that did not condemn her: Bussy therefore had orders not to mention a single word farther of his private memorial of the 15th of July 1761, and a profound silence, with regard to the Spanish demands, was observed by him during his after residence in London. But did this mend the matter? Or did the Spanish minister by his explanatory (or whatever it may be called) note, which he gave in upon that subject to the British minister, by his catholic majesty's order, disavow those monstrous claims? No, they stand at this very time in as full effect as ever. To what purpose then, even by the confession of France herself, should we have concluded a separate peace with her, since it was liable the

very next hour to be broken, by our differences with Spain? Actions are the best commentaries upon words. The proceedings of the Spanish nation against the subjects of Great Britain, plainly show, that those claims were not cooked to serve an occasion; but that they—*manent alta mente reposta*—They are treasured up in remembrance, and will be attempted to be made good the very first opportunity that shall be presented.

How therefore, upon the whole, could a British first minister consistently, with the regard he owed to his prince, his country, and himself, retain his power, and yet suffer such important differences to remain undecided? How could he look upon a power, to be longer neutral, after committing the most scandalous violations, upon the liberties and properties of the subjects of Great Britain? Or where is the minister of sense, and spirit, who would not have acted under the like circumstances, the same part, that he has done?

F I N I S.